

JUDGE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	NO. CR06-229 RSM
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
vs.	)	MOTION TO CONTINUE TRIAL
	)	DATE AND PRETRIAL MOTIONS
BRIAN R. FOY, JR.,	)	DEADLINE
	)	
Defendant.	)	
	)	
	)	
	)	

THE COURT, having considered the stipulated motion, the records and files herein, hereby makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

2. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation, and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

ORDER GRANTING STIPULATED MOTION TO  
CONTINUE TRIAL AND PTM - 1  
(Brian R. Foy, Jr.; CR06-229 RSM)

**FEDERAL PUBLIC DEFENDER**  
1601 Fifth Avenue, Suite 700  
Seattle, Washington 98101  
(206) 553-1100

1 IT IS THEREFORE ORDERED that the trial date in this matter is continued to  
2 January 8, 2007, and the deadline in which to file pretrial motions is continued to  
3 December 6, 2006.

4 IT IS FURTHER ORDERED that the period of time from the current trial date of  
5 November 6, 2006, up to and including the new trial date of January 8, 2007, shall be  
6 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

7 DONE this 31 day of October 2006.

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11 RICARDO S. MARTINEZ  
12 UNITED STATES DISTRICT JUDGE

13 Presented by:

14 s/ Paula Semmes Deutsch  
15 Attorney for Brian Foy

16 s/ Jill Otake  
17 Assistant United States Attorney  
18 *Per telephonic authorization*  
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